

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Erlingsson

Appl. No. 10/082,591

Filed: February 22, 2002

For: **Altered States of Software
Component Behavior**

Confirmation No.: 5689

Art Unit: 2194

Examiner: Cao, Diem K.

Atty. Docket: 2525.0800001

Statement of the Substance of the Interview

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Interview Summary mailed to Applicant's representative on July 28, 2008, Applicant submits the following Statement of the Substance of the Interview.

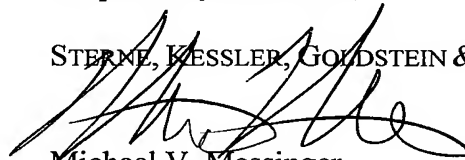
Applicant thanks Examiner Cao for conducting a personal interview with Applicant's undersigned representative on July 18, 2008. During the interview, Applicant's undersigned representative argued that the Examiner's previous rejections made under 35 U.S.C. §101, §112, and §103 were overcome for at least the reasons presented in Applicant's Amendment and Reply filed on June 20, 2008 and incorporated by reference herein. Agreement was not reached; however, the Examiner agreed to reconsider further all the previous rejections in light of the remarks presented in the Amendment and Reply filed on June 20, 2008.

During the interview Applicant's representative further clarified that the claim language "evaluating the service request based on at least one dynamically alterable condition dependent rule, an original or modified data in the service request, and at least one of a present software system state and a past software system " (emphasis added) as set forth

in claim 1 constituted an explicit recitation that the step of evaluating the service request was based on at least three elements (i)-(iii), namely, (i) at least one dynamically alterable condition dependent rule, (ii) an original or modified data in the service request, and (iii) at least one of a present software system state and a past software system." (element notation (i)-(iii) added here for purposes of illustration). Accordingly, Applicant's representative argued that the Examiner could not properly read this step in claim 1 so broadly that the step of evaluating the service request was based on only one of the elements (i), (ii), or (iii) since such a reading is contrary to the literal language of the claim. No agreement was reached. Applicant's undersigned indicated they would review claim 1 again and consider whether a supplemental amendment is needed for claim 1; however this is now moot given these clarifying remarks. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: _____

8/28/08

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